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SIPDIS

SENSITIVE

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SUBJECT: DOMINICAN ATTORNEY GENERAL WILL COORDINATE
ANTI-TIP EFFORTS

1. (U) Summary. Dominican cabinet members and senior officials, meeting as a group with the Ambassador and Embassy staff on October 20 and 22, cited several instances of recent progress in combating TIP, including the creation of a new cyber-crimes unit in the Attorney General's office, the break-up of a child pornography ring in Santiago, and the implementation of a new Code for Minors and Adolescents, which creates stiffer penalties for exploiters of children. The Dominicans also promised to increase interagency cooperation in investigating and prosecuting trafficking in persons (TIP) cases, led by Attorney General Francisco Dominguez Brito. On October 25, at an international TIP conference hosted by the International Organization for Migration (IOM), the Ambassador stressed that the Dominican Republic must do more to combat TIP. At the same meeting, Dominguez Brito reconfirmed his engagement on TIP, calling for more aggressive prosecutions and sentences of up to 30 years for traffickers. End Summary.

2. (U) Background. During the week of October 18-22, Embassy Santo Domingo followed up on June and August coordination seminars with advisors to incoming president Leonel Fernandez expected to assume key law enforcement duties, especially for trafficking in persons (TIP). After an Embassy half-day seminar on October 20 with senior staff from several Dominican agencies, on October 22 the Ambassador hosted cabinet officials, the head of the Armed Forces, and other officials newly designated to combat TIP. The Ambassador and Attorney General Francisco Dominguez Brito also spoke at the inauguration of an international conference on the best practices for combating TIP hosted by the International Organization for Migration (IOM) the week of October 25-29.

Staff Level Coordination

3. (U) On October 20, senior staff representatives of law enforcement entities and state secretariats met with the DCM, the Defense Attache, EcoPol officers, and USG law enforcement attaches for half a day. The group reached a consensus that the Attorney General's office should serve as the focal point of TIP investigations and prosecutions. The action officer is Assistant Attorney General Frank Soto, head of the Attorney General's anti-TIP unit, an entity established by the previous administration.

4. (U) Soto pointed to several positive recent steps, including the October 18 implementation of the 2003 Code for Minors and Adolescents, which provides greater legal protections for children and stiffer penalties for those who exploit them. Soto said the Attorney General's office was establishing a cyber-crimes unit with help from the German Embassy, to investigate cases of child sexual exploitation. (Last month police in Santiago shut down a child pornography ring in Santiago that had sought to lure foreign clients by posting sexually explicit photos of young children and adolescents on the Internet.)

5. (SBU) MFA Ambassador for Women's Affairs Luisa "Chiqui" Vicisoso said that the MFA was drafting a report on progress in anti-TIP efforts and is seeking multilateral commitments to fight cross-border trafficking, including that of Haitian migrant workers. Participants wanted more coordination and cooperation among investigators, to establish whether given crimes involving alien smuggling met TIP criteria. Colonel Cristobal Morales was the National Police representative, as director of the Falsifications Investigations Department, which includes the police anti-TIP unit. Morales proposed a monthly interagency meeting to share information on TIP cases.

Cabinet Level Coordination

6. (SBU) The Ambassador reinforced these commitments at a lunch he hosted October 22 for cabinet members and heads of the agencies represented at the working group. Foreign Minister Carlos Morales Troncoso, Armed Forces Secretary Sigfido Pared Perez, and Attorney General Francisco Dominguez

Bruto were the ranking attendees. The Foreign Minister reciprocated the Ambassador's opening remarks by emphasizing the importance of fighting TIP and told the group that the Dominican Republic "must improve" its record on TIP. Morales recounted some success stories, including a cleanup of corrupt Dominican consulates that had helped traffickers by selling visas and travel documents.

17. (SBU) Attorney General Dominguez Brito welcomed the responsibility of coordinating anti-TIP action. Armed Forces Chief Pared Perez stressed the importance of controlling borders to make it harder to traffic or smuggle from Haiti and noted that agencies that provide security at seaports (CESEP) and airports (CESA) are particularly important in improving the Dominican Republic's reputation as a source and transit country for TIP. Police Chief Manuel de Jesus Perez Sanchez raised the need to encourage "denunciations" of traffickers and to protect informants. Minister for Women's Affairs Gladys Gutierrez called for more resources for women and families to encourage potential victims to stay in their home towns in the Dominican Republic and resist temptations offered by traffickers.

18. (SBU) At the conclusion of the lunch, the Ambassador asked all of the agency heads to assure that their staffs receive the direction, time and resources to investigate and prosecute traffickers and to assist victims. He endorsed the proposal for the Attorney General and the Attorney General's anti-TIP unit to lead in investigating and prosecuting TIP. All present agreed with this approach.

Call for Increased Penalties

19. (U) On October 25 the Attorney General made public once again his hard line against trafficking in his presentation at an well-publicized international TIP conference near Santo Domingo sponsored by the International Organization for Migration (IOM). Dominguez Brito called for sentences of up to thirty years for traffickers, saying, "There can be no impunity for traffickers." He also said, "We have a clear need to follow up on our prosecutions, because it is worthless to file charges and then not have a conviction." The Ambassador, in his presentation at the opening session, recognized the efforts of the Dominican Republic and the international community to fight TIP but stressed "we must do more." The Ambassador emphasized the theme of interagency and international cooperation, noting, "Only through collective action can we meet the challenge presented by this epidemic."

Comment

110. (SBU) The commitments from the cabinet members and Dominguez Brito's strong public stand are in part the fruit of the persistent work of the Ambassador and Embassy officers in raising the awareness of the incoming administration on TIP and promoting an operational approach for an issue that affects many government agencies. The Fernandez administration is focusing its law enforcement resources to improve the Dominican record on fighting TIP. The framework is in place, the channels of communication are open, and the frank and zealous Attorney General is ready. The issue is now for the rest of the new administration to follow his lead.
HERTELL